

## REMARKS

This amendment is responsive to the Office Action mailed October 28, 2003.

### In the Specification

As to the specification, applicant has amended the abstract as requested by the Examiner. No new matter has been added.

### In the Drawings

Replacement FIGURE 2 corrects the reversal of the DATA IN and DATA OUT labels.

### In the Claims

Claims 6, 9, 14 and 16 have been amended to address the Examiner's objection to these claims under 35 U.S.C. § 112.

The typographical error in Claim 14 has been corrected.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Kamerman et al. (EP 0 702 466 A2). Applicant respectfully traverses this rejection.

The objection to Claim 1 seems to result from a misunderstanding. Claim 1 states that the information". . . is carried by each sub-carrier of a set of sub-carriers allocated to the receiver." In other words, one information symbol is modulated on a number of sub-carriers. The system that Kamerman describes uses all 16 carriers of the system (not a set of sub-carriers allocated to the terminal). Each of the sub-carriers carries a different information symbol. Eight of the sub-carriers carry two bits each (the unconditioned pairs) and eight of the sub-carriers carry one bit each (the conditioned pairs), for a total of 24 bits (see Kamerman Col. 5, lines 12-34). Accordingly, Claim 1 is not the same as what is described by Kamerman.

Further, the Examiner seems to find that Kamerman's invention does constructive recombining of the subcarriers. This is impossible since different information is modulated onto each subcarrier; therefore, they cannot be constructively recombined. The device 102 in Kamerman that the Examiner cites for constructive recombination is positioned after the information is extracted in data decoder 90. It cannot do constructive recombination at this

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point. Present Claim 1 states that the subcarriers are combined before the information is extracted. The device 102 that Kamerman describes in the paragraph spanning Columns 5 and 6 is a parallel-to-serial converter, which simply rearranges the bits from a parallel format to a serial format. It does not do constructive recombining.

Accordingly, Claim 1 is patentable over Kamerman.

### CONCLUSION

Applicant thanks the Examiner for the indication of allowable subject matter in Claims 2-5, 7, 8, 10-13, and 15. In view of the foregoing remarks, applicant submits that all claims are in patentable condition and respectfully requests an early notice to that effect. The Examiner is requested to contact applicant's attorney at the number provided below should any questions or issues remain.

Respectfully submitted,

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